



U.S. Department of Justice

Civil Rights Division

BLL:BFK:bbm
DJ 144-72-1991

*Criminal Section
P.O. Box 66018
Washington, D.C. 20035-6018*

APR 22 1999

Mr. Donald Wilson
[REDACTED]

Dear Mr. Wilson:

Enclosed is a draft of an immunity agreement that I have prepared at your request.

In our April 20, 1999, telephone conversation, we discussed a grant of immunity from federal prosecution "in connection with the documents" before speaking to us any further about them. The draft agreement is intended to cover explicitly all possible federal criminal exposure you might have for your past conduct related to the documents in order to afford you the opportunity to speak candidly about them in the future. As I said, we are more interested in obtaining the complete truth from you on this important public issue than prosecuting you.

If you took evidence related to a federal criminal investigation, concealed and retained it, such conduct can violate 18 United States Code 641. If you knowingly and willfully made material false statements to Mr. Massie and I or to Inspector Bonner, such conduct could violate 18 United States Code 1001. Accordingly, the draft agreement makes specific references to those potential violations. However, it is intended to also cover any past conduct "in connection with the documents" that could violate some other federal statute.

As I also mentioned to you, we cannot grant immunity from future false statements. Accordingly, paragraph 3 in the draft addresses this issue.

Because our primary concern is to insure that our investigation obtains truthful information, I have also included in paragraph 2 a requirement that you submit to polygraph examinations, if we believe they are necessary. We did not

discuss this point when we spoke. However, I noted that you advised the *Chicago Tribune* last month that you were willing to take a polygraph examination. The obligation to submit to a polygraph provides the United States a means to test the truthfulness of your information in return for our grant of immunity from prosecution.

The enclosed copy of a letter from the Acting Assistant Attorney General for Civil Rights indicates that I have the authority to enter into an immunity agreement on behalf of the Department of Justice.

Please call me at 202-514-4067, as soon as you have considered this proposal. As you know, we are at a stage in our investigation where your prompt response is required.

I look forward to hearing from you.

Sincerely,

Bill Lann Lee
Acting Assistant Attorney General
Civil Rights Division

By:

Barry F. Kowalski
Special Litigation Counsel
Criminal Section

cc: Enclosures

IMMUNITY AGREEMENT

1. This agreement between Donald G. Wilson (Mr. Wilson) and the United States Department of Justice (the Department) constitutes a grant of transactional immunity from federal prosecution in return for complete and truthful information from Mr. Wilson regarding certain documents that Mr. Wilson claims he recovered from James Earl Ray's car in 1968.

2. The United States agrees not to prosecute Donald G. Wilson for any past conduct in connection with said documents, as well as for any information or statements he has previously provided about those documents, that may violate 18 United States Code §§ 641 or 1001 or any other federal criminal statute.

3. Mr. Wilson agrees to cooperate fully with the Department by providing complete and truthful information to agents of the Department regarding the subject matter of this grant of immunity as specified in paragraph 1. In this regard, Mr. Wilson will answer all questions posed by agents of the Department both completely and truthfully. Mr. Wilson also agrees not to withhold any information, documentation, or physical evidence related to the subject matter of this grant of immunity. Additionally, Mr. Wilson agrees to submit to polygraph examinations administered by the Department related to the subject matter of the grant of immunity, if determined to be necessary by agents of the Department.

4. This grant of immunity does not extend to any false or misleading information or statements that Mr. Wilson might knowingly and willfully provide to the Department subsequent to the execution of this agreement. Accordingly, if Mr. Wilson knowingly and willfully provides false or misleading information or statements to agents of the Department in the future, he may be subject to prosecution under 18 United States Code § 1001 or other applicable federal criminal statute for such conduct.

5. Further, if Mr. Wilson does not fully comply with the requirements of paragraph 3 above, this grant of immunity will become null and void.

6. No promises have been made other than those expressly set forth in this agreement.

DONALD G. WILSON

BARRY KOWALSKI
United States Department of Justice

DATE

DATE